

REMARKS

Claims 1 and 3-10 are pending. Claims 1, 5, and 6 are amended. Claim 2 has been canceled. Claims 7-10 have been added. No new matter has been introduced. Reexamination and reconsideration of the present application are respectfully requested.

In the January 7 Office Action, the Examiner rejected claims 1-6 under 35 U.S.C. § 102 (b) as being anticipated by Suzuki, U.S. Patent No. 5,777,249 (hereinafter Suzuki). (*January 7 Office Action, page 2*) Applicants respectfully traverse the rejections in view of the claims as amended.

Independent claim 1, as amended, now recites:

A tone generator system comprising:
a first waveform storage that stores compressed waveform data;
a decoder that is responsive to *tone color changing instruction data included in musical composition data* to be reproduced, for reading out from said first waveform storage the compressed waveform data corresponding to at least one tone color corresponding to the tone color changing instruction data and for decoding the readout compressed waveform data into waveform data in a pulse code modulation format;
a second waveform storage that stores the waveform data in the pulse code modulation format decoded by said decoder; and
a tone generator section, responsive to sounding instruction data included in the musical composition data to be reproduced, for generating musical tones based on the waveform data in the pulse code modulation format stored in said second waveform storage.

The Suzuki reference does not disclose, teach or suggest the tone generator system specified in independent claim 1, as amended. Unlike the tone generator system specified in independent claim 1, as amended, Suzuki does not teach *“a tone generator section, responsive to sounding instruction data included in the musical composition data to be reproduced, for generating musical tones based on the waveform data in the pulse code modulation format stored in said second waveform storage.”* Instead, the Suzuki reference is directed to electronic

musical instruments which synthesize musical tones based on waveform information stored in waveform memories. (*Suzuki; Abstract; and Col. 1, lines 7-9*) Suzuki discloses an electronic musical instrument with a function for recording and reproducing musical tones using compressed waveform data. (*Suzuki; Col. 2, lines 48-64*) The R/W control signal is generated by the control section CONT which receives the performance-designating signal PLAY, the excitation-waveform data are read out from the excitation-waveform memory DM in response to the generated R/W control signal, and original waveform data are decoded based on the read out excitation-waveform data. (*Suzuki; Col. 5, lines 5-17*) However, the Suzuki reference discloses that the R/W control signal is merely a read-out control signal which is generated by the control section CONT in response to the performance-designating signal PLAY and does not correspond to tone color changing instruction data included in the musical composition. Accordingly, Applicant respectfully submits that independent claim 1, as amended distinguishes over the Suzuki reference.

Claims 5 and 6, both as amended, recite similar limitations to independent claim 1, as amended. Accordingly, Applicant respectfully submits that claims 5 and 6 distinguish over the Suzuki reference for reasons similar to those set forth above with respect to independent claim 1, as amended.

Claims 3-4, 7-8 and 9-10 depend from independent claims 1, 5, and 6, as amended, respectively. Accordingly, Applicant respectfully submits that claims 3-4, 7-8 and 9-10 distinguish over the Suzuki reference for the same reasons set forth above with respect to independent claims 1, 5, and 6, respectively.

Applicant respectfully submits that the claims are in condition for allowance. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference call would advance prosecution of the application.

Respectfully submitted,

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